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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF CALIFORNIA
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12 UNITED STATES OF AMERICA,)
13 Plaintiff,) CR.S-01-421 FCD
14 v.)
15) ORDER TO DISMISS INDICTMENT
16 SAMVEL AVETISIAN,) AND ARREST WARRANT FILED
17 Defendant.) AGAINST DEFENDANT SAMVEL AVETISIAN
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19 Plaintiff United States of America, by and through its
20 undersigned counsel, and pursuant to Fed. R. Crim. P. 48, moves to
21 dismiss the indictment and arrest warrant in the above-captioned
22 action filed on September 13, 2001. Since filing the indictment, the
23 government has not been able to locate the defendant and has come to
24 believe that he fled the United States no later than 2003. In the
25 meantime, the government has lost significant evidence and the
26 potential to secure witness testimony necessary for prosecution.
27 Accordingly, the government is not able to proceed with the
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1 prosecution and submits this motion to dismiss the indictment and
2 arrest warrant filed against defendant Samvel Avetisian.

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5 DATED: December 24, 2008

MCGREGOR W. SCOTT
United States Attorney

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7 By: /s/ Laura L. Ferris
8 LAURA L. FERRIS
9 Assistant U.S. Attorney

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12 **ORDER**

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14 Based on the motion of the government, and GOOD CAUSE APPEARING
15 THEREFORE, the Court hereby orders that the indictment and arrest
16 warrant filed against defendant Samvel Avetisian on September 13,
17 2001, be and are hereby dismissed.

18 **IT IS SO ORDERED.**

19 DATED: December 29, 2008

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21 
22 FRANK C. DAMRELL, JR.
23 UNITED STATES DISTRICT JUDGE
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